

EXHIBIT D

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Chris Daniel - District Clerk Harris County
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2016-86856 / Court: 055

NO. _____

JUDY ANN SHAW

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IN THE DISTRICT COURT

VS.

____ JUDICIAL DISTRICT

UNITED AIRLINES, INC., and
AIR SERV CORPORATION

HARRIS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

Judy Ann Shaw, Plaintiff, complains of United Airlines, Inc., and Air Serv Corporation Defendants, and would respectfully show the Court as follows:

DISCOVERY CONTROL PLAN LEVEL

Pursuant to Rule 190.1, TRCP, Plaintiff alleges that discovery in this action is intended to be conducted under Discovery Control Plan Level 3.

PARTIES

1. Plaintiff is an individual who resides in Oklahoma. The last three numbers of Plaintiff's driver's license are 832. The last three numbers of Plaintiff's Social Security number are 781.
2. Defendant United Airlines, Inc. is a Delaware corporation; said Defendant may be served in this action by serving its authorized agent for service, CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201-3136.
3. Defendant Air Serv Corporation is a Georgia corporation; said Defendant may be served in this action by serving its authorized agent for service, CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201-3136.

VENUE

4. Venue of this action is proper in Harris County, Texas, pursuant to, *inter alia*, §15.002 of the TEXAS CIVIL PRACTICE & REMEDIES CODE for, among other things, the following reason:

5. All or a substantial part of the events or omissions giving rise to the claim occurred in Harris County, Texas, as will be discussed below herein.

FACTS

6. On or about December 21, 2014, Plaintiff Judy Ann Shaw ("Shaw") was traveling from Hawaii to Oklahoma via United Airlines. Her flight had a connection at George Bush Intercontinental Airport located in Houston, Harris County, Texas.
7. Shaw made the transfer from the gate for the Hawaii inbound flight (flight #252) to the gate for the Oklahoma outbound flight (flight #5794) using a pre-arranged passenger cart service.
8. While in transit on the passenger cart, another passenger cart traveling in the opposite direction struck her and/or her cart and knocked her off the cart and onto the floor.
9. Based upon information and belief, at all relevant times, the passenger carts involved in the collision were owned, managed and/or operated by Defendant Air Serv Corporation and Defendant United Airlines, Inc.
10. Shaw suffered serious and permanent bodily injuries as a direct result of the collision.
11. Plaintiff has performed all conditions precedent, if any, required for recovery in the instant action.

CAUSE OF ACTION NO. 1 — NEGLIGENCE

12. Plaintiff would show that the damages and injuries sustained were a direct and proximate consequence of the negligence of Defendants and their agents, servants, and employees. Among other things, Plaintiff would show that Defendants and their agents, servants, and employees were negligent in one or more of the following particulars:
 - a. Failing to properly train and supervise the drivers of the passenger carts;
 - b. Failing to coordinate and manage the passenger cart service in a reasonably safe manner;
 - c. Operating the passenger carts in an unsafe manner;

REQUEST FOR DISCLOSURE

17. Pursuant to Rule 194 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff requests Defendants United Airlines, Inc. and Air Serv Corporation to disclose within 50 days of receipt of this request, the information or material described in Rule 194.2 (a-l) of the TEXAS RULES OF CIVIL PROCEDURE.

REQUEST FOR RELIEF

18. **WHEREFORE**, Plaintiff requests that Defendants United Airlines, Inc. and Air Serv Corporation be cited to appear and answer herein and that, upon final trial hereof, Plaintiff has judgment against Defendants, jointly and severally, for:
- a. Actual damages in an amount in excess of the minimal jurisdictional limit of this Court;
 - b. Pre-judgment interest as provided by law;
 - c. Interest after judgment at the highest lawful rate until paid;
 - d. Costs of suit;
 - e. All other relief requested by Plaintiff herein; and
 - f. Such other and further relief to which Plaintiff may be entitled.

Respectfully submitted,



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